

10/518802

DTG Rec'd PCT/PTO 16 DEC 2004

Patent

Attorney Docket No. 892,280-484

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MALABARBA, Adriano et al.

Serial No.: Not Yet Assigned

Filed: Herewith

For: USE OF AMIDE DERIVATIVE OF
GE 2270 FACTOR A3 FOR THE
TREATMENT OF ACNE

Group Art Unit: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application. Copies of the non-US patent references are enclosed for the examiner's convenience.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

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December 16, 2004
Date of Deposit

Cynthia B. Pacheco
Cynthia B. Pacheco

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: December 16, 2004

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FORM PTO-1449		ATTY. DOCKET NO. 892,280-484	SERIAL NO.
LIST OF PATENTS AND OTHER DOCUMENTS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		APPLICANT: Malabarba et al.	
		10/518802	
(Use several sheets if necessary)		FILING DATE: Herewith	GROUP: Not Yet Assigned

DT09 Rec'd PCT/PTO 16 DEC 2004

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	5,139,778	08/1992	Selva et al.			
	AB	5,200,429	04/1993	Sato et al.			
	AC	5,380,763	01/1995	Sato et al.			
	AD	5,599,791	02/1997	Tavecchia et al.			
	AE	6,009,225	12/1999	Ciabatti et al.			
	AF	6,143,739	11/2000	Pierfausto et al.			

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATIO YES NO	
	AG	EP 0494078	07/1992	Europe				
	AH	EP 0565567	01/1995	Europe				
	AI	EP 0577356	01/1994	Europe				
	AJ	WO 92/12172	07/1992	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	AK	BERSON DS, Shalita AR. The treatment of acne: the role of combination therapies. J AM ACAD DERMATOL 1995; 32: 531-541.
	AL	CRAWFORD WW, Crawford IP, Stoughton RB, Cornell RC. Laboratory induction and clinical occurrence of combined clindamycin and erythromycin resistance in <i>Corynebacterium acnes</i> . J INVEST DERMATOL 1979; 72: 187-190.
	AM	EADY EA, Cove JH, Holland KT, et al. Erythromycin resistant propionibacteria in antibiotic-treated patients: association with therapeutic failure. BR J DERMATOL 1989; 121:51-7.
	AN	EBLING FJ., Cunliffe WJ. Disorders of sebaceous glands. In: Rook A., Wilkinson DS., Ebling FJ., Champion RH., Burton JL, eds. TEXTBOOK OF DERMATOLOGY. Vol III. Boston: Blackwell Scientific, 1992; 1699-744.
	AO	ESPERSEN F. Resistance to antibiotics used in dermatology practice. BR J DERMATOL 1998; 139 (53): 4-8.

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	

FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 892,280-484	SERIAL NO. 16 DEC 2004
	APPLICANT'S RECORD PCT/PTO Malabarba et al.	
	FILING DATE: Herewith	10/518802 Not Yet Assigned

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
AP	HURWITZ S. The combined effect of vitamin A acid and benzoyl peroxide in the treatment of acne. CUTIS 1976; 17: 585-590.	
AQ	INGRAM E, Holland KT, Gowland C, et al. Studies of the extracellular proteolytic activity produced by <i>Propionibacterium acnes</i> . J APPL BACTERIOL 1983; 54:263-271.	
AR	KOO JYM, Smith LL. Psychologic aspects of acne. PEDIATR DERMATOL 1991; 8: 185-88.	
AS	KOO J. The psychosocial impact of acne: patients' perceptions. J AM ACAD DERMATOL 1995; 32: S26-S30.	
AT	LEYDEN JJ, McGinley KJ, Cavalieri S et al. <i>Propionibacterium acnes</i> resistance in acne patients. J AM ACAD DERMATOL 1983; 8: 41-5.	
BA	LEYDEN JJ. New understanding of the pathogenesis of acne. J AM ACAD DERMATOL 1995; 32: S15-S25.	
BB	MCEVOY GK, ed. AHFS drug Information. Bethesda, Md: American Society of Health System Pharmacists; 1996; pp. 374 and 2522.	
BC	NORD CE. Treating acne with antibiotics leads to antibiotic resistance. Proceedings of the 101st Annual Meeting of ASM, Orlando May 2001.	
BD	PANZER, J.D. et al. "Acne Treatment: A Comparative Efficacy Trial of Clindamycin and Tetracycline", Cutis, EXCERPTA MEDICA 19(1): 109-111 (Jan. 1977)	
BE	PUHVEL SM, Sakamoto M. An in vitro evaluation of the inflammatory effect of purified comedonal components in human skin. J INVEST DERMATOL 1977; 69:401-406.	
BF	ROSS JL, Snelling AM, Eady EA, Cove JH, Cunliffe WJ et al. Phenotypic and genotypic characterization of antibiotic-resistant <i>Propionibacterium acnes</i> isolated from acne patients attending dermatology clinics in Europe, the U.S.A., Japan and Australia. BR J DERMATOL 2001; 144: 339-46.	
BG	SELVA, E. et al. "Antibiotic GE 2270 a: a novel inhibitor of bacterial protein synthesis. I. Isolation and characterization." J. ANTIBIOTICS (Tokyo) 44(7): 693-701 (1991)	
BH	SIEGLE RJ, Fekety R, Sarbone PD, et al. Effects of topical clindamycin on intestinal microflora in patients with acne. J AM ACAD DERMATOL 1986; 15: 180-5.	
BI	SYKES NL, Webster GF. Acne: a review of optimum treatment. DRUGS 1994; 48: 59-70.	
BJ	WALTERS CE, Ingham E, Eady EA, Cove JH, Kearney JN, Cunliffe WJ. In vitro modulation of keratinocyte-derived interleukin-1 alpha (IL-1 alpha) and peripheral blood mononuclear cell-derived IL-1 beta release in response to cutaneous commensal microorganisms. INFECT IMMUN 1995; 63:1223-28.	
BK	WEBSTER GF. Inflammation in acne vulgaris. J AM ACAD DERMATOL 1995; 33:247-253.	
BL	WINSTON MH., Shalita AR. Acne vulgaris: pathogenesis and treatment. PEDIATR CLINIC NORTH AM 1991; 38:889-903.	
BM		

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